

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

McKENNA DUFFY and MICHAEL BRETT,
individually and on behalf of all others
similarly situated,

Plaintiff,

V.

YARDI SYSTEMS, INC., et al.

Case No. 23-cv-1391RSL

STIPULATED MOTION AND ORDER
RE: BRIEFING SCHEDULE/
PROCEDURE

Defendants.

1 Pursuant to Local Civil Rules 7(d)(1) and 10(g), Plaintiffs McKenna Duffy and Michael
2 Brett (“Plaintiffs”), and Defendant R.D. Merrill Real Estate Holdings, LLC (“Merrill”), by and
3 through their respective counsel, hereby stipulate as follows:

4 1. WHEREAS, on October 31, 2023, the Court granted in part Plaintiff’s Motion
5 to Deem R.D. Merrill Real Estate Holdings, LLC, Substituted for Pillar Properties, LLC, and
6 directed that Plaintiff’s amended complaint be served on Merrill. (ECF No. 108);

7 2. WHEREAS, on November 15, 2023, the First Amended Class Action Complaint
8 was served on Merrill. (ECF No. 121);

9 3. WHEREAS, pursuant to Rule 12 of the Federal Rules of Civil Procedure, the
10 deadline for Merrill to file its answer or otherwise respond to the First Amended Class Action
11 Complaint currently is December 6, 2023.

12 THEREFORE, Plaintiffs and Merrill STIPULATE AND AGREE that:

13 In the interest of judicial efficiency, Plaintiffs and Merrill will adopt the Rule 12 briefing
14 schedule and procedures in the Court’s November 9, 2023 Order (ECF No. 118) for Merrill’s
15 Rule 12 response to the First Amended Class Action Complaint.

16 In the interest of judicial efficiency, the previously filed Joint Status Report (ECF
17 No. 119) should apply to Merrill as if Merrill were a signatory as a Lessor Defendant to that
18 document, such that Plaintiffs and Merrill need not submit a duplicative Joint Status Report.

20 STIPULATED to this 1st day of December, 2023.

22 IT IS SO ORDERED this 4th day of December, 2023.

23 
24 Robert S. Lasnik

25 United States District Judge

1 DATED: December 1, 2023.

Respectfully submitted,

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3 **HAGENS BERMAN SOBOL
SHAPIRO LLP**

4 /s/ Steve W. Berman

5 Steve W. Berman (WSBA No. 12536)
6 Theodore Wojcik (WSBA No. 55553)
7 Stephanie A. Verdoia (WSBA No.
8 58636)
9 Xiaoyi Fan (WSBA No. 56703)
10 1301 Second Avenue, Suite 2000
11 Seattle, WA 98101
12 Telephone: (206) 623-7292
13 Facsimile: (206) 623-0594
14 steve@hbsslaw.com
15 tedw@hbsslaw.com
16 stephaniev@hbsslaw.com
17 kellyf@hbsslaw.com

18 Rio S. Pierce (*pro hac vice*)
19 HAGENS BERMAN SOBOL
20 SHAPIRO LLP
21 715 Hearst Avenue, Suite 300
22 Berkeley, CA 94710
23 Telephone: (510) 725-3000
24 Facsimile: (510) 725-3001
25 Email: riop@hbsslaw.com

26
27 *Attorneys for Plaintiffs MCKENNA*
28 *DUFFY and MICHAEL BRETT*

1
2 **K&L Gates LLP**

3 /s/ Christopher M. Wyant

4 Christopher M. Wyant, WSBA #35561
5 Tyler Licher, WSBA # 51090
6 925 Fourth Avenue, Suite 2900
7 Seattle, WA 98104
8 Phone: (206) 623-7580
9 Fax: (206) 623-7022
10 Email: chris.wyant@klgates.com
11 tyler.licher@klgates.com

12 Lauren Norris Donahue (*pro hac vice*)
13 70 W. Madison St., Ste. 3300
14 Chicago, IL 60602
15 Phone: (312) 372-1121
16 Fax: (312) 827-8000
17 Email: lauren.donahue@klgates.com

18 Derek Sutton (*pro hac vice*)
19 301 Hillsborough St., Ste. 1200
20 Raleigh, NC 27603
21 Phone: (919) 743-7331
22 Fax: (919) 516-2122
23 Email: derek.sutton@klgates.com

24 *Attorneys for Defendant R.D. Merrill Real Estate*
25 *Holdings, LLC*